

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, NOVEMBER 19, 2003**

PRESENT: Walter L. Alcorn, Commissioner At-Large
John R. Byers, Mount Vernon District
Frank de la Fe, Hunter Mill District
Joan M. DuBois, Dranesville District
John B. Kelso, Lee District
Ronald W. Koch, Sully District
Ilryong Moon, Commissioner At-Large
Peter F. Murphy, Jr., Springfield District
Linda Q. Smyth, Providence District

ABSENT: Janet R. Hall, Mason District
Suzanne F. Harsel, Braddock District
Laurie Frost Wilson, Commissioner At-Large

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The meeting was called to order at 8:20 p.m. by Chairman Peter F. Murphy, Jr.

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COMMISSION MATTERS

Commissioner Smyth noted that the Policy and Procedures Committee had met earlier this evening and discussed the new “features shown” procedure. She also noted that the one change would be made to the procedure and that she would move for approval on Thursday, November 20, 2003.

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Commissioner de la Fe announced that the Transportation Committee would meet on Thursday, November 20, 2003 at 7:30 p.m. in the Board Conference Room to be briefed on Infill Study recommendations related to sidewalks.

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Commissioner Smyth MOVED THAT THE PLANNING COMMISSION DEFER THE PUBLIC HEARING ON RZ 2003-PR-009 AND FDP 2003-PR-009, UNIWEST GROUP, LLC, FROM NOVEMBER 19, 2003 TO A DATE CERTAIN OF JANUARY 15, 2004.

Commissioner Byers seconded the motion which carried unanimously with Commissioners Hall, Harsel and Wilson absent from the meeting.

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FS-P03-33 – OMNIPOINT COMMUNICATIONS (T-Mobile) - 8130 Porter Road

Commissioner Smyth MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE “FEATURE SHOWN” DETERMINATION IN FS-P03-33.

Commissioner Byers seconded the motion which carried unanimously with Commissioners Hall, Harsel and Wilson absent from the meeting.

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FS-M03-4 - OMNIPOINT COMMUNICATIONS (T-Mobile) - 3101 Hodge Place

In the absence of Commissioner Hall, Commissioner Smyth MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE “FEATURE SHOWN” DETERMINATION IN FS-M03-4.

Commissioner Byers seconded the motion which carried unanimously with Commissioners Hall, Harsel and Wilson absent from the meeting.

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ORDER OF THE AGENDA

In the absence of Commissioner Harsel, Chairman Murphy set the following order for the agenda:

1. PCA 84-L-083 – JIMMIE K. WALKER & MARGIE L. WALKER
2. RZ 2003-MV-023 – CENTEX HOMES
FDP 2003-MV-23 – CENTEX HOMES
3. RZ 2003-SU-024 – MHI RUGBY ROAD, L.L.C.

This order was accepted without objection.

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PCA 84-L-083 - JIMMIE K. WALKER & MARGIE L. WALKER –
Appl. to amend the proffers for RZ 84-L-083 previously approved for contractor’s office and shop, warehousing and storage yards to permit site modifications and additional industrial uses with an overall Floor Area Ratio (FAR) of 0.24. Located on the E. side of Cinder Bed Rd., approx. 1,500 ft. N. of Hill Park Dr. on approx. 1.19 ac. of land zoned I-5. Comp. Plan Rec: Industrial. Tax Map 99-2 ((1)) 20.
LEE DISTRICT. PUBLIC HEARING.

W. McCauley Arnold, Esquire, with McCandlish & Lillard, reaffirmed the affidavit dated January 15, 2003. There were no disclosures by Commission members.

Catherine Lewis, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of the application.

Mr. Arnold noted that a revised proffer stated oil and tire changes would be conducted inside the building and buses would continue to be washed outside. Mr. Arnold said the application met the concerns of both the community and staff, and requested favorable consideration.

Commissioner Kelso pointed out that the applicant had agreed to install a seven foot masonry wall and had agreed to use a rain garden instead of a stormwater pond, using existing native vegetation.

Chairman Murphy called for speakers from the audience, but received no response. He noted that no rebuttal was necessary. The Commission had no further comments or questions and staff had no closing remarks, therefore, Chairman Murphy closed the public hearing and recognized Commissioner Kelso for action on this application. (A verbatim excerpt is in the date file.)

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Commissioner Kelso MOVED THAT THE PLANNING COMMISSION DEFER DECISION ON PCA 84-L-083 TO A DATE CERTAIN OF NOVEMBER 20th, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENT.

Commissioner Byers seconded the motion which carried unanimously with Commissioners Hall, Harsel and Wilson absent from the meeting.

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RZ 2003-MV-023/FDP 2003-MV-023 - CENTEX HOMES

- Appls. to rezone from C-8, R-2 and HC to PDH-8 and HC to permit residential development at a density of 6.22 dwelling units per acre (du/ac) and approval of the conceptual and final development plans. Located in the S.W. quadrant of the intersection of Richmond Hwy. and Central Ave. on approx. 7.72 ac. of land. Comp. Plan Rec: 5-8 du/ac. Tax Map 101-4 ((6)) 1 – 5, 7B, 7C and 7D. MOUNT VERNON DISTRICT. PUBLIC HEARING.

Robert A. Lawrence, Esquire, with Reed, Smith, Hazel, and Thomas, reaffirmed the affidavit dated October 3, 2003. There were no disclosures by Commission members.

Catherine Lewis, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of the application.

Mr. Lawrence stated that the proposed development had the support of surrounding neighborhoods and the Southeast Fairfax Development Corporation. He noted that the Mount Vernon District Council voted not to oppose the application. He submitted for the record a letter from Rose Lambert, President of the Mount Vernon Farms Civic Association, also expressing support for the applications, a copy of which is in the date file. He pointed out that the proposed development was in conformance with the Comprehensive Plan. He explained that the applicant was in agreement with the proposed development conditions with the exception of Number 1 which required the sidewalk along Richmond Highway to be brick colored. He said since the sidewalk would be located in the right-of-way, it would be maintained by the Virginia Department of Transportation (VDOT) and could become unsightly if the color was not matched exactly.

In response to a question from Commissioner de la Fe, Ms. Lewis said the Comprehensive Plan recommended a masonry sidewalk, but that the applicant was not in favor of pavers or texturized asphalt with coloring. Mr. Lawrence said the proposed concrete sidewalk was masonry and met the parameters of the Comprehensive Plan for the Richmond Highway area. He said the only issue was the color and that he would leave it up to the Commission to decide if the sidewalk should be brick colored.

Jim Walton, 4320 Jackson Place, Alexandria, on behalf of the Mt. Zephyr Civic Association and Metro Ped, expressed opposition to a colored sidewalk due to maintenance concerns.

There were no further speakers, therefore, Chairman Murphy called upon Mr. Lawrence for rebuttal remarks. Mr. Lawrence had no rebuttal remarks.

The Commission had no further comments or questions and staff had no closing remarks, therefore, Chairman Murphy closed the public hearing and recognized Commissioner Byers for action on this application. (A verbatim excerpt is in the date file.)

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Commissioner Byers MOVED THAT THE PLANNING COMMISSION RECOMMEND THE BOARD OF SUPERVISORS APPROVE RZ 2003-MV-023, SUBJECT TO THE EXECUTION OF THE PROFFERS DATED NOVEMBER 18, 2003.

Commissioner Kelso seconded the motion which carried unanimously with Commissioners Hall, Harsel and Wilson absent from the meeting.

Commissioner Byers MOVED THAT THE PLANNING COMMISSION APPROVE FDP 2003-MV-023, SUBJECT TO THE APPROVAL OF THE REZONING AND SUBJECT TO THE

PROPOSED DEVELOPMENT CONDITIONS DATED NOVEMBER 18, 2003 WITH THE DELETION OF DEVELOPMENT CONDITION NUMBER 1.

Commissioner Kelso seconded the motion which carried unanimously with Commissioners Hall, Harsel and Wilson absent from the meeting.

Commissioner Byers MOVED THAT THE PLANNING COMMISSION RECOMMEND THE BOARD WAIVE THE 600 FOOT MAXIMUM LENGTH FOR A PRIVATE STREET.

Commissioner Kelso seconded the motion which carried unanimously with Commissioners Hall, Harsel and Wilson absent from the meeting.

Commissioner Byers MOVED THAT THE PLANNING COMMISSION RECOMMEND THE BOARD WAIVE THE SERVICE DRIVE REQUIREMENT ALONG RICHMOND HIGHWAY.

Commissioner Kelso seconded the motion which carried unanimously with Commissioners Hall, Harsel and Wilson absent from the meeting.

Commissioner Byers MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF THE VARIANCE PURSUANT TO SECTION 16-401 TO PERMIT THE PROPOSED WALL ALONG RICHMOND HIGHWAY TO BE UP TO SEVEN FEET HIGH.

Commissioner Kelso seconded the motion which carried unanimously with Commissioners Hall, Harsel and Wilson absent from the meeting.

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RZ 2003-SU-024 - MHI RUGBY ROAD, LLC - Appl. to rezone from R-1, R-5 and WS to R-5 and WS to permit residential development at a density of 4.63 dwelling units per acre (du/ac). Located on the W. side of Rugby Rd., approx. 100 ft. S. of the Fairfax County Pkwy. on approx. 2.81 ac. of land. Comp. Plan Rec: 4-5 du/ac. Tax Map 45-2 ((2)) 17 and A. SULLY DISTRICT. PUBLIC HEARING.

Stephen K. Fox, Esquire, reaffirmed the affidavit dated October 29, 2003. Following Chairman Murphy's request for disclosures, Commissioner DuBois stated that Russell S. Rosenberger, Jr., listed on the affidavit, had made a contribution to her Dranesville District supervisor's campaign. There were no other disclosures by Commission members.

Tracy Swagler, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of the application.

Mr. Fox provided a brief history of the subject property stating that in early 2001, an application had been approved by the Board of Supervisors to rezone lots 5-15 and lot 17. He stated the applicant had since purchased a portion of lot 16 to allow an interparcel connection and a stormwater management area. He stated the application property included lot 17, which needed to be rezoned to solve dimensional problems associated with lot 16. He pointed out that the application met and exceeded the new development criteria and requested favorable consideration.

Chairman Murphy called for speakers from the audience, but received no response. He noted that no rebuttal was necessary. The Commission had no further comments or questions and staff had no closing remarks, therefore, Chairman Murphy closed the public hearing and recognized Commissioner Koch for action on this application. (A verbatim excerpt is in the date file.)

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Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ 2003-SU-024, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE DATED OCTOBER 8, 2003.

Commissioner Byers seconded the motion which carried by a vote of 8-0-1 with Commissioner Moon abstaining; Commissioners Hall, Harsel and Wilson absent from the meeting.

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF THE WAIVER OF THE MINIMUM DISTRICT SIZE.

Commissioner Byers seconded the motion which carried by a vote of 8-0-1 with Commissioner Moon abstaining; Commissioners Hall, Harsel and Wilson absent from the meeting.

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF THE MODIFICATION OF TRANSITIONAL SCREENING AND WAIVER OF THE BARRIER ALONG THE WESTERN, NORTHERN, EASTERN AND PORTIONS OF THE SOUTHERN BOUNDARIES, IN FAVOR OF THAT SHOWN ON THE GDP.

Commissioner Byers seconded the motion which carried by a vote of 8-0-1 with Commissioner Moon abstaining; Commissioners Hall, Harsel and Wilson absent from the meeting.

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ADJOURNMENT

November 19, 2003

The meeting was adjourned at 9:02 p.m.

Peter F. Murphy, Chairman

Suzanne F. Harsel, Secretary

For a verbatim record of this meeting, reference may be made to the audio and video recordings which may be found in the Office of the Planning Commission of Fairfax County, Virginia.

Minutes by: Karen M. Everett

Approved on: April 19, 2006

Linda B. Rodeffer, Clerk to the
Fairfax County Planning Commission